

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re application of:** Van Winkle et al.**Application No.** 10/509,691**Filed:** May 8, 2005**Confirmation No.** 3095**For:** GENERATION OF PLANTS WITH  
IMPROVED DROUGHT TOLERANCE**Examiner:** Vinod Kumar**Art Unit:** 1638**Attorney Reference No.** 6616-72613-04**CERTIFICATE OF MAILING**

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney or Agent  
for Applicant(s)

Date Mailed May 1, 2006

MAIL STOP AMENDMENT  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**TRANSMITTAL LETTER**

Enclosed for filing in the above application are:

- ☒ An Amendment and Response to Non-Final Office Action.
- ☒ Supplemental Information Disclosure Statement, Form 1449, and 4 references cited thereon are also enclosed.

The fee has been calculated as shown:

CLAIMS AS AMENDED					
For	No. after amendment	No. paid for previously	Present Extra	Rate	Fee
Total Claims	11	- 20*	= 0	\$50.00	\$ 0.00
Indep. Claims	3	- 3**	= 0	\$200.00	\$ 0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

\* greater of twenty or number for which fee has been paid.

\*\* greater of three or number for which fee has been paid.

A check in the amount of \$180.00 is enclosed for the Supplemental Information Disclosure Statement Fee.

Please charge any additional fees that may be required in connection with filing this amendment, including any additional application size fee (for pages in excess of 100) and any extension of time, or credit any overpayment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.

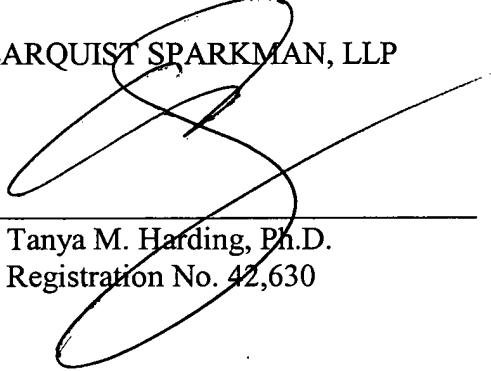
Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

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By

  
\_\_\_\_\_  
Tanya M. Harding, Ph.D.  
Registration No. 42,630



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**AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION**

This responds to the Office action dated January 30, 2006. A three-month period for response was set, making a response due on or before **May 1, 2006** (since April 30 falls on a Sunday. It is believed that no fees are required in connection with this filing; however, the Commissioner is authorized to charge any fees that may be required to the deposit account referenced on the accompanying transmittal letter.

**Amendments to the specification** are on page 2.

**Amendments to the claims** begin on page 3.

**Remarks** begin on page 5.

A brief **Conclusion** is provided on page 10.